IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JANE DOE, Individually, and as Next Friend of JULIE DOE, a Minor,	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 4:08cv140 Jury
MYSPACE, INC.,	§	
Defendant.	§	

AFFIDAVIT OF CHRISTOPHER V. POPOV

Before me, the undersigned notary, personally appeared Christopher V. Popov, a person who is known to me. After I administered an oath to him, upon his oath, he said:

1. My name is Christopher V. Popov. I am at least 18 years old, of sound mind, and capable of making this affidavit. I have personal knowledge of the facts stated in this affidavit, and they are true and correct.

2. I am an attorney with the law firm of Vinson & Elkins, L.L.P.

3. Attached behind Tab A is a certified copy of the docket sheet in the state court action styled *Jane Doe IX, Individually, and as Next Friend of Julie Doe IX, a Minor v. My Space, Inc.*, Cause No. CV08-00112 in the 235th Judicial District Court of Cooke County, Texas.

4. Attached as Appendix at Tab B are true and correct copies of the documents on file with the state court action styled *Jane Doe IX, Individually, and as Next Friend of Julie Doe IX, a Minor v. My Space, Inc.*, Cause No. CV08-00112 in the 235th Judicial District Court of Cooke County, Texas. Defendant MySpace is not aware of any other process, pleadings, or orders filed in the state court.

5. Defendant MySpace, Inc. did not receive service of Plaintiffs' Original Petition. Defendant MySpace, Inc. received service of Plaintiffs' First Amended Petition on March 24, 2008. Defendant MySpace, Inc. received a copy of Plaintiffs' Second Amended Petition by electronic mail on April 17, 2008.

Dockets.Justia.com

6. Defendant MySpace, Inc. is a Delaware corporation with its principal place of business in California. Attached behind Tab C is a copy of on-line records reflecting MySpace, Inc.'s citizenship as maintained by the Delaware Secretary of State.

7. Attached behind Tab D is the additional information required by Local Rule CV-81.

8. Attached behind Tab E is Defendant MySpace, Inc.'s Certificate of Interested Persons.

9. Attached behind Tab F is Plaintiffs' First Amended Original Petition in *Jane Doe v. MySpace, Inc.*, No. D-1-GN-06-00209, in the 261st District Court for Travis County, Texas.

FURTHER, AFFIANT SAYETH NOT.

[signature]
Christopher V. Popov

SWORN TO AND SUBSCRIBED before me, Lori Evans, on April 22, 2008.

Lori L. Evans
Notary Public, State of Texas

My Commission expires: 3/14/2011